

IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF PENNSYLVANIA

LEXINGTON INSURANCE COMPANY

Plaintiff

v.

DAVID FORREST and T. BEAUCLERC
ROGERS, IV, STANLEY MUNSON, MARTIN
FINK, all individually, and NEW BEGINNINGS
ENTERPRISES LLC, A California Limited
Liability Company, and TARLO LYONS, a
partnership,

Defendants

CIVIL ACTION

NO. 02-CV-4435

(Hon. Anita B. Brody)

SUBSTITUTION OF AFFIDAVIT

Kindly file of record the attached signed Affidavit of Stanley Munson in place of the Affidavit that was included in Tarlo Lyon's Motion to Dismiss Plaintiff Lexington Insurance Company's Second Amended and Supplemental Complaint.

Respectfully submitted,

HARVEY, PENNINGTON LTD.

BY:



DAVID L. PENNINGTON

Identification No: 03633

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Attorneys for Defendant,

Tarlo Lyons

Dated: October 13, 2004

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CERTIFICATE OF SERVICE

David L. Pennington, Esquire, attorney for Defendant, Tarlo Lyons, hereby
certifies that I have served true and correct copy of the foregoing Substitution of Affidavit was
served upon the following parties or their counsel of record by first class mail, postage prepaid
on this day:

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